

9.5.3 Accreditation

Physicians who engage in activities that involve the accreditation, approval, or certification of institutions, facilities, and programs that provide patient care or medical education or certify the attainment of specialized professional competence have the ethical responsibility to develop and apply standards that are:

- (a) Relevant, fair, reasonable, and nondiscriminatory.
- (b) Focused on the quality of patient care achieved.

They must avoid adopting or using standards as a means of minimizing competition solely for economic gain.

AMA Principles of Medical Ethics: II, IV, VII

Background report(s):

Report of the Judicial Council C-I-82 Ethical guidelines for physicians engaged in accreditation activities

(Judicial Council – B)

B. SURROGATE MOTHERS

(Reference Committee on Amendments to Constitution and Bylaws, page 298)

HOUSE ACTION: REFERRED BACK TO THE JUDICIAL COUNCIL, and the subject of "surrogate mothers" referred to the Board of Trustees for study and report to the House of Delegates at the 1983 Annual Meeting

Physicians may be asked to participate in arrangements whereby a woman agrees to be artificially inseminated for the purpose of bearing a child for adoption. The agreement for adoption of the child is customarily entered into prior to the artificial insemination of the woman. While the legality of such arrangements is doubtful, the Judicial Council believes that physician participation in such an arrangement is unethical. The Judicial Council has adopted the following Opinion, which it submits to the House of Delegates.

SURROGATE MOTHERS. A physician who knowingly participates in an arrangement for the artificial insemination of a woman who agrees to bear a child for adoption, commonly described as a "surrogate mother," is engaged in unethical professional conduct. Surrogate mother is a euphemistic term that was apparently coined to imply approval of a modern version of an age old and morally unacceptable practice, the bartering of children to childless couples. A surrogate is by definition a substitute; a woman who bears a child is its biological mother and not a surrogate or substitute.

A child is not a chattel or property to be bred and given away, sold or bartered. State laws generally provide that anyone who engages in or aids and abets the sale of a child is guilty of a felony.

C. ETHICAL GUIDELINES FOR PHYSICIANS ENGAGED IN ACCREDITATION ACTIVITIES

(Reference Committee on Amendments to Constitution and Bylaws, page 298)

HOUSE ACTION: ADOPTED

Increasingly, physicians will be called upon to participate in various types of accreditation activities. The medical profession and public sector alike will rely on the results of such accreditation activities. Those results must always measure quality by objective standards. The Judicial Council has adopted the following Opinion to aid physicians in their accreditation activities. The Judicial Council hereby submits the following Opinion to the House of Delegates.

ACCREDITATION. Physicians who engage in activities that involve the accreditation, approval or certification of institutions, facilities and programs that provide patient care or medical education or certify the attainment of specialized professional competence have the ethical responsibility to apply standards that are relevant, fair, reasonable and nondiscriminatory. The accreditation of institutions and facilities that provide patient care should be based upon standards that focus upon the quality of patient care achieved. Standards used in the accreditation of patient care and medical education, or the certification of specialized professional attainment should not be adopted or used as a means of economic regulation.